

Virginia LGBTQ+ Advisory Board Meeting

Wednesday, 13 April 2022, 12:30 p.m. - 4:30 p.m.

Newcomb Hall, University of Virginia, 180 McCormick Road, Charlottesville, Virginia

Agenda

12:54 p.m. Meeting called to order by Mx. Mason

- Meeting Overview
- Meeting Minutes Approval and Adoption of Agenda
 - November 10 Meeting Minutes approved with no changes and Agenda adopted with no changes.
- Staff Introductions –Office of the Secretary of the Commonwealth
 - Secretary Coles James expressed her desire to forge a productive relationship and serve as an example of what can be accomplished when people of goodwill come together, setting a standard of how to solve problems for. She thanked the board members for their willingness to serve and mentioned that she will be traveling around the Commonwealth and would like to have one-on-one meetings with board members when she is in their area.
- Board Administration Update
 - Ms. Holland reviewed the timeline of the Annual Report process and pointed out that the end of the information-gathering phase was fast approaching. She indicated that there would be a hard deadline in August to finish the report so that it had time to go to print before the September meeting with the Governor.
 - Ms. Holland talked briefly about the vetoes and amendments to bills the Governor had finished the day before. Mr. Keeling added detail about the vetoes and also legislation that had been defeated in the 2022 General Assembly Session. Mr. Thorne-Begland asked if the board might hear from the different departments in the administration, and Ms. Holland suggested committees should invite officials they want to hear from to their committee meetings.
 - Ms. Holland discussed one- and four-year strategic planning that had been started by the board leadership. She suggested that board members might look to the [Day One Game Plan](#) and [Executive Order 10](#) to see the Governor's priorities with respect to DEI. She also recommended that committees take full advantage of the virtual information sessions allowed by statute through 30 June. There will be new virtual meeting language that comes into effect on 1 September, but it is not clear at this time what the parameters for those meetings will be.
- Chair's Report
 - Mx. Mason addressed the Board regarding their decision to step down as Chair. They expressed that they felt they were not respected in their role as Chair

because of the intersection of their different identities, and they wanted to step down to make room for a new Chair whose voice, they hoped, would be respected. They urged the Board to consider that the community it represents is a large and multifaceted community, and that board members needed to ensure they were pushing themselves to extend themselves beyond their specific identities, especially paying attention to the most marginalized members of the community. They emphasized that a position on the Board was one of service, which should be dictated by the community, and advised that members of the Board who could not make the requisite time commitment should not run for leadership positions and, depending on circumstances, consider resigning from the Board altogether. They saw the most pressing job of the Board to get itself together through the development of standard operating procedures.

- Ms. Higgs was unable to join for the beginning of the meeting, but also addressed the Board giving her thoughts on why she decided to step down as Vice Chair at the end of the meeting. She expressed how she felt unsafe being so much in the public eye, which was driven and compounded by her multiple marginalized identities. She also did not like how her authority inflected the way board members responded to her and wanted to interact with members as peers.
- Board Discussion on Operations & Procedures
 - The Board responded to the Chair's Report, expressing regret over Mx. Mason and Ms. Higgs' resignations and how to go forward. Several members expressed that they had been unclear about how to go about their responsibilities and what they were allowed to do. Many members identified communications difficulties at different levels, which board members largely agreed was a problem that should be addressed in potential standard operating procedures.
- Committee Breakouts
 - Board members broke out into committees to discuss the committee's next steps. The Safety Committee did not meet.
 - *Housing & Infrastructure*: Mr. Boudreaux reported that the Housing & Infrastructure committee had created a plan for three meetings, the first to invite experts, the second to work through what they had heard in the first meeting, and the third to decide on up to three recommendations for inclusion in the Annual Report.
 - *Education & Workforce*: Dr. Banfield reported that the committee had decided to meet every 2-3 weeks over the next two months. The first meeting would be substantially for committee organization, and the second would invite experts to speak. The committee also planned to meet in person directly before the June Board Meeting..
 - *Health*: Dr. Motley reported that the Health committee had met on 31 March to set its expectations and schedule. The committee was engaging in strategic planning in 90-day increments and had committed to at least 5 hours of research per month.

- Ms. Holland reminded committee chairs that meeting dates must be submitted at least **5 days in advance** in order to ensure they are properly noticed on the Commonwealth Calendar.
- Legislative Session Debrief
 - Narissa Rahaman of Equality Virginia briefed the Board on what had happened with bills EV was watching during the 2022 General Assembly session. First, Ms. Rahaman provided a view of the national landscape as context and noted there had been a record number of anti-LGBTQ bills introduced, including 130 targeting trans youth. She made sure to note that public opinion polling shows support for LGBTQ+ equality and that over 200 companies had signed onto a letter opposing bills restricting LGBTQ+ rights.
 - Equality Virginia tracked 22 bills in the 2022 session, and all 8 that EV opposed died. Three that EV followed and one that EV supports await action when the General Assembly convenes later in April. The repeal/replacement of the Marshall-Newman Amendment failed.
 - Equality Virginia is currently reviewing the Governor's amendments and is engaging with groups statewide to prepare for the reconvene. They are also preparing for the 2023 session.
 - Ms. Rahaman highlighted a working group working on youth advocacy, the Safe Schools Action Network, and identified [Kyleigh Hynes](#) as the point of contact at Equality Virginia.
 - **Q: What is the likelihood/possibility of changes in the membership of the General Assembly changing the kinds of legislation being considered?**
 A: Equality Virginia is bipartisan, so it focuses more on working to educate rather than mobilize allies. Many of the bills that were defeated this past session were defeated on a bipartisan basis.
- Executive Officer Elections
 - Mx. Goehring introduced a Motion to adopt a written policy allowing for virtual participation, which would be effective as at all meetings going forward. The Motion passed unanimously.
 - Mx. Goehring introduced a Motion to modify the voting procedure used to elect officers to protect against candidates winning with a minority of votes and to provide more robust, though not completely comprehensive, protection against ties. Due to the complexity of the Motion and the very limited time to consider it, it failed, but one provision, using a randomized roll call instead of alphabetical order to cast votes, was moved and adopted.
 - The newly elected Executive Officers are:
 - Board Chair: Lisa Turner
 - Vice Chair: Michael Thorne-Begland

- Public Comment
 - Spencer Haydary, L2 student at the University of Virginia School of Law and former President of the Lambda Law Alliance at UVA, expressed his concern about the anti-LGBTQ+ rhetoric that had been used by Governor Youngkin and his support of anti-LGBTQ+ bills and associations. He spoke about the threat to trans youth in particular and highlighted the important role sports plays in education. He spoke about policies targeting trans youth in Texas and Alabama and expressed that he did not want to live in a state where trans people must live under such a threat. He recommended [Freedom For All Americans](#) as a resource.
 - Roland Winston submitted comments in writing, which will be distributed to the Board for their perusal after the meeting.
- Closing Remarks

Meeting adjourned at 4:59 p.m.

Action Items

1. Submit biography and headshots for Board Website if you have not already done so.
2. Work on committee fact-gathering in preparation for Annual Report

Next Meeting Agenda

To be determined. Next meeting will be held in Richmond in conjunction with Pride Month Reception, tentatively either 1 or 8 June.

Attendees

Board Members:

- Matt Banfield (he/him)
- Demas Boudreaux (he/him)
- Evelyn BruMar (she/her)
- Amanda Goehring (ze/hir)
- Kevin Han (he/him)
- Rob Keeling (he/him)
- Joanna Keller (she/her)
- Kyle Mason (they/them)
- N. McKeller Crosby (they/them)
- Stephanie Merlo (she/her)
- Bryan Price (he/him)
- Patty Smith (she/her)
- Michael Thorne-Begland (he/him)

By telephone:

- Charley Burton (he/him)
- Aurora Higgs (she/her or they/them)
- Monica Motley (she/her or they/them)
- Jes Simmons (she/her)
- Lisa Turner (she/her)

Ex-officio members:

- Kay Coles James (she/her), Secretary of the Commonwealth

Not in attendance:

- Michael Berlucchi (he/him)
- Jonathan Dromgoole (he/him)
- Tracy Monegain (she/her)

Speakers:

- [Narissa Rahaman](#) (she/her), Executive Director, Equality Virginia

Staff Members:

- Justin Bell (he/him), Assistant Attorney General and Board Counsel
- Suzanne Holland (she/her), Director of Advisory Board Administration
- Jenna Moon (she/her), Deputy Secretary of the Commonwealth
- C.J. Sailor (he/him), Deputy Director of Constituent Outreach
- Harold Pyon (he/him), Deputy Director of Diversity, Equity, Opportunity, and Inclusion

Guests:

- [Alex Winkowski](#) (they/them), Assistant Director, Multicultural Student Services
- Cortney Hawkins (she/her), Diversity, Equity, and Inclusion Manager, UVA Police Dept.
- Lieutenant Yong Bacon (she/her), UVA Police Department
- Spencer Haydary (he/him), Student, University of Virginia School of Law
- Katherine Everett
- Patrick Larsen
- Christine Miner

Motions

| Motion to Adopt Rules for Electronic Participation | | |
|--|-------------------------|----------------|
| Moved: Amanda Goehring | Seconded: Evelyn BruMar | |
| Yeas: 18 | Nays: 0 | Abstentions: 0 |

| Motion to Amend Voting Procedure | | |
|----------------------------------|-------------------------|----------------|
| Moved: Amanda Goehring | Seconded: Evelyn BruMar | |
| Yeas: 2 | Nays: 16 | Abstentions: 0 |

| Motion to Use Random Order for Elections | | |
|--|---------------------------|----------------|
| Moved: Michael Thorne Begland | Seconded: Amanda Goehring | |
| Yeas: 18 | Nays: 0 | Abstentions: 0 |

Election Results

Nominees for the role of Board Chair:

- Demas Boudreaux (1)
Boudreaux
- Joanna Keller (5)
BruMar, Goehring, Han, Keller, Thorne-Begland
- **Lisa Turner (11)**
Banfield, Burton, Higgs, Keeling, Mason, Merlo, Motley, Price, Simmons, Smith, Turner

Nominees for the role of Board Vice Chair:

Round 1

- Evelyn BruMar (8)
BruMar, Goehring, Han, Keller, Merlo, Motley, Smith, Turner
- Michael Thorne-Begland (8)
Banfield, Boudreaux, Burton, Higgs, Keeling, Mason, Price, Thorne-Begland

Round 2

- Evelyn BruMar (7)
BruMar, Han, Keller, Merlo, Motley, Smith, Simmons
- **Michael Thorne-Begland (10)**
Banfield, Boudreaux, Burton, Goehring, Higgs, Keeling, Mason, Price, Thorne-Begland, Turner

Written Public Comment

Good Afternoon, members of the Governor of Virginia's LGBTQ+ Advisory Board. I am Roland Winston. I am co-founder of Virginia Council on LGBTQ+, a member of the Board of GLSEN RVA, a member of the Commonwealth Council on Aging and Vice President of the Virginia S.A.L.T. (Seniors and Law Enforcement Together) Council of the Virginia TRIAD.

First I would like to congratulate you on your appointment, but more importantly thank you for stepping up. The 2020 and 2021 sessions of the Virginia General Assembly were extraordinary in regard to supporting rights and access for the LGBTQ+ population in Virginia, but there is much work still to be done.

A few years ago, I and others established Virginia Council on LGBTQ+ after I became aware of the Massachusetts Commission on LGBTQ Youth

<https://www.mass.gov/orgs/massachusetts-commission-on-lgbtq-youth>.

I hope it can serve as a model for you. At that time we had no expectation of an Advisory to the Governor becoming codified so soon.

We produced Report for the Commonwealth of Virginia (attached). Many of the issues we named have been addressed. We certainly do not claim responsibility for the wonderful outcome of the 2020 and 2021 sessions.

I am making comment today to share information on issues that still need to be addressed.

In no particular order:

FLE (Family Life Education) is abysmal in regard to LGBTQ+ information in Virginia. VACSER (Va Coalition for Sex Ed Reform) <https://www.vacser.org/> a Coalition of over twenty organizations recently issued a Press piece (attached) summarizing the report VaDOE issued (attached).

There is a link for this document, but the DOE has stripped documents relating to EQUITY, so I have attached it to insure your access. (Youngkin bans equity

<https://www.virginiamercury.com/2022/02/25/youngkin-administration-ends-equity-initiatives-at-the-virginia-department-of-education/>)

Students must have access to quality, age appropriate, honest information.

Model Policies for the Treatment of Transgender Students in Virginia's Public Schools was released without the teeth needed to cause School Boards to be required to implement a comprehensive policy. SB 20 GA 2022 session sought eliminate the requirement that school boards follow the guidance. Hanover County is subject to a lawsuit by the ACLU and there has been public comment for months.

<https://www.wtvr.com/news/local-news/hanover-schools-equity-policy-decision-remains-in-limbo>

Defending this guidance is imperative.

Don't Say Gay has been much in the news in Florida. This article reports that so far in 2022, at least eight states—Florida, Tennessee, Georgia, Iowa, South Carolina, Indiana, Kansas and Oklahoma—have introduced their own versions of Florida's "Don't Say Gay" bill. A West Virginia bill introduced in 2021 is also being considered after it was rolled over to this year's legislative session.

https://xtramagazine.com/power/dont-say-gay-220882?fbclid=IwAR1_SEXtNz8VZ2y-b3zysF4Eld7hIMfsMXZVjKWkEXiWC7SLG14XpXFH5lg

But Virginia already has a version of Don't Say Gay in the form of SB 656 GA 2022 Department of Education; local school boards; policies on sexually explicit content in instructional material ~ which passed.

Book Bans are occurring across the country. Pen America documents 'In total, for the nine-month period represented, the Index lists 1,586 instances of individual books being banned, affecting 1,145 unique book titles'.

<https://pen.org/banned-in-the-usa/#conclusion>

In Virginia they document 16 bans across Fairfax, Harrisburg, Henrico, Loudoun, New Kent, Spotsylvania and Virginia Beach.

https://docs.google.com/spreadsheets/d/1hTs_PB7KuTMBtNMESFEGuK-0abzhNxVv4tgpl5-iKe8/edit#gid=1380530296

The main focus is LGBTQ+ books by BIPOC. The most-banned book was Gender Queer banned 30 separate times. Banned 21 times was All Boys Aren't Blue by George M. Johnson, a memoir about growing up queer and Black in America. Others in the top six: Lawn Boy by Jonathan Evison, Out of Darkness by Ashley Hope Pérez and The Bluest Eye by Toni Morrison, which all explore topics of race. At number six was Beyond Magenta: Transgender Teens Speak Out by Susan Kuklin.

https://www.pinknews.co.uk/2022/04/07/most-banned-books-us-2022/?utm_source=piano&utm_medium=email&utm_campaign=mypinknews&pnespid=6Og7UTVeOfkXh_nHoD3ID8OH7hSzDMonM_WxxfQ5thBmcMeNMejbFmHtFBQHgZxL3RTYto_8&fbclid=IwAR2N_uoEiede1kYum6atweaLaaxT-wAsRZ1a122KVHGkAqQ6WBqZstXzYEM

Resources for our youth must not be scrubbed from classrooms or their libraries

LGBTQ+ Elders need support and protections. The Commonwealth Council on Aging, in its 2020 report recommends Training on LGBT Cultural Competency for Staff in Nursing Homes, Assisted Living, and Home and Community-Based Services (attached)

When I began looking for model legislation some specifically included HIV/AIDS training, some did not. We did not come to a decision on which model to pursue

https://www.lgbtagencycenter.org/resources/pdfs/NSCLC_LGBT_report.pdf

<https://wildirismedicaleducation.com/courses/dc-lgtbq-cultural-competence-training>

https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB663

Only four facilities in Virginia are included in the HRC / SAGE LONG-TERM

CARE EQUALITY INDEX 2021

https://hrc-prod-requests.s3-us-west-2.amazonaws.com/thelei/documents/LEI-report-2021-FNL-Updated_06_2921.pdf

LGBTQ+ Youth in Foster Care aren't protected from religion. HB 1932 GA 2020 aimed to remove protections for religious agencies to continue to deny services to prospective LGBTQ+ parent applicants. The bill was passed by. However, I am not aware of any efforts to protect LGBTQ+ youth from religious agencies placing them with unsupportive families..

Child Sex Trafficking LGBTQ+ Youth are disproportionately impacted by homelessness compared to their cisgender and straight counterparts. While family conflict is the primary cause of LGBTQ+ youth homelessness, several circumstances can lead these youth to experiencing homelessness, including aging out of the foster care system, a lack of LGBTQ+ accepting shelters, and shortages of culturally competent housing programs for LGBTQ+ youth in child welfare. Consequently, LGBTQ+ youth are at greater risk of child sex trafficking victimization. Child welfare providers, law enforcement, and other youth serving professionals needs to be trained about the nuances and complex traumas related to child sex trafficking of LGBTQ+ youth. Other criminal justice involvement often masks trafficking victimization, so adequate training is necessary to serve all youth survivors, and particularly, LGBTQ+ survivors who are overrepresented in this victim population. SB 664 GA session 2022 Provides that a minor engaged in prostitution or keeping, residing in, or frequenting a bawdy place shall not be proceeded upon as delinquent and shall be referred to the local department of social services for an assessment and services. This bill was passed by in the House subcommittee

Safe Schools are critical for LGBTQ+ students and particularly those students of color and with disabilities. Virginia Council on LGBTQ+ is a member of Dignity in Schools whose work is on Community not Cops

<https://dignityinschools.org/?s=community+not+cops> this is part of GLSEN's work as well

<https://www.glsen.org/activity/counseling-not-criminalization-schools-act#:~:text=The%20Counseling%20Not%20Criminalization%20in%20Schools%20Act%20provides%20that%20support,including%20the%20particular%20needs%20of> SB 3 and SB 729 GA session 2020 aimed at solutions. HB 292 GA session 2020 requires MOU's between school divisions and law enforcement be reviewed every two years and subject to public input. While this is a positive step it does not work to remove SRO's from schools and is further complicated by a lengthy model MOU produced by the Department of Criminal Justice rather than by Educators and Mental Health providers. (attached). Compare this to a three page model from the Advancement Project

<https://juvjustice.org/sites/default/files/ckfinder/files/Advancement%20Project%20Model%20MOU%20Between%20a%20School%20District%20and%20Police%20Dept.pdf>

I thank you for your attention.